

Docket No.: 05516/106002
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Anthony Griffo et al.

Allowed:

Application No.: 10/774,571

Confirmation No.: 8505

Filed: February 9, 2004

Art Unit: 3724

For: CONE EROSION PROTECTION FOR ROLLER
CONE DRILL BITS

Examiner: D. D. Watts

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

M/S Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner hereby petitions the Commissioner to withdraw the above-identified application from Abandonment. The Issue Fee in this application was timely paid on December 8, 2006. The Applicant respectfully requests that the referenced application be withdrawn from abandonment and the Commissioner take into consideration the documents and fees that were previously mailed and submitted to the patent office on December 8, 2006.

In view of the Patent Office error, withdrawal of the holding of abandonment is appropriate, and no petition or fee is believed to be required. However, if a petition is required, please consider this document as the petition. Moreover, if any fees (*e.g.*, a petition fee, an issue fee, etc.) are required, please apply the charges to Deposit Account 50-0591 (Reference 05516/106002).

The facts involved are as follows. On December 8, 2006, Applicant's representative prepared the documents to be submitted to the U.S. Patent and Trademark Office (USPTO) to return Part B of the Notice of Allowance and make payment of the Issue Fee. Attached as Exhibit A are copies of the documents as filed including the Express Mail receipt (EV

963980737 US), which was stamped and dated by the U.S. Postal Services. To date we have not received the return postcard; however, attached as Exhibit B is proof from the U.S. Postal Service that Express Mail packet EV 963980737 US was delivered to the U.S. Patent Office on December 11, 2006, and signed for by M Boston. Accordingly, Applicant requests that the Commissioner grant the instant petition and accept the newly submitted documents submitted herewith.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0591, under Order No. 05516/106002.

Dated: February 9, 2007

Respectfully submitted,

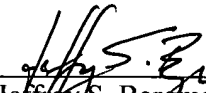
By 
Jeffrey S. Bergman
Registration No.: 45,925
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)



EXHIBIT A

Inventor: Anthony Griffo et al.

Application No.: 10/774,571

Filing Date: February 9, 2004

Title: CONE EROSION PROTECTION FOR ROLLER CONE DRILL BITS

Documents Filed:

Part B- Fee(s) Transmittal (1 page)

Fee Transmittal (1 page)

Payment by credit card. Form PTO-2038 is attached (1 page)

Transmittal Letter (2 pages)

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Docket No.: 05516/106002
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For: CONE EROSION PROTECTION FOR
ROLLER CONE DRILL BITS

Examiner: D. D. Watts

TRANSMITTAL LETTER

M/S Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

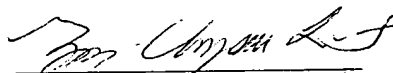
Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Part B – Fee(s) Transmittal (1 page)
2. Fee Transmittal (1 page) and
3. Certificate of Express Mailing (1 page)
4. Payment by Credit card. Form PTO-2038 is attached (1 page)
5. Charge \$1,706.00 to credit card and
6. Return postcard.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0591, under Order No. 05516/106002.

Dated: December 8, 2006

Respectfully submitted,

By 
for Jeffrey S. Bergman *T. Chyau Liang*
Registration No.: 45,925 *48,885*
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or **Fax** (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

09/28/2006

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 Suite 2800
 1221 McKinney
 Houston, TX 77010

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/774,571

02/09/2004

Anthony Griffo

05516.106002

8505

TITLE OF INVENTION: CONE EROSION PROTECTION FOR ROLLER CONE DRILL BITS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional

NO

\$1400

\$300

\$0

\$1700

12/28/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
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PRONE, JASON D

3724

076-108200

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1
 2 Osha Liang LLP
 Houston, Texas 77010
 3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

SMITH INTERNATIONAL, INC.

HOUSTON, TEXAS

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee
☒ Publication Fee (No small entity discount permitted)
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4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

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☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature T. Chyan Liang 48,885
 Typed or printed name Jeffrey S. Bergman

Date December 8, 2006

Registration No. 45,925

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

<p>Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <h2 style="text-align: center;">FEE TRANSMITTAL</h2> <h3 style="text-align: center;">For FY 2006</h3>		Complete if Known	
		Application Number	10/774,571-Conf. #8505
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	February 9, 2004
		First Named Inventor	Anthony Griffo
		Examiner Name	D. D. Watts
		Art Unit	3724
TOTAL AMOUNT OF PAYMENT		(\$)	1,706.00
		Attorney Docket No.	05516/106002

METHOD OF PAYMENT (check all that apply)

☐ Check
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 ☐ None
 ☐ Other (please identify): _____

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 Deposit Account Name: Osha - Liang LLP

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims
24 - 34 = _____ x _____ = _____ Fee (\$) Fee Paid (\$)
 HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)
1 - 3 = _____ x _____ = _____
 HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

_____ - 100 = _____ / 50 _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 1501 Utility issue fee	1,400.00
1504 Publication fee for early, voluntary, or normal ...	300.00
8001 Printed copy of patent w/o color	6.00

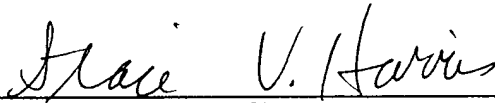
SUBMITTED BY			
Signature	<i>T. Chyan Liang</i>	Registration No. (Attorney/Agent)	45,925
Name (Print/Type)	Jeffrey S. Bergman	Telephone	(713) 228-8600
	<i>T. Chyan Liang</i>	Date	December 8, 2006

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Staci V. Harris

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Application No. 10/774,571	Application No.	Application No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. 05516/106002		Identify or Describe Mark	

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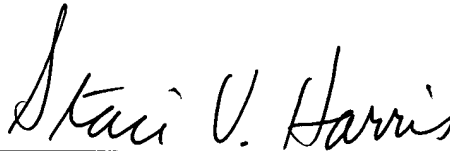
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Staci V. Harris

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Petition to Withdraw Holding of Abandonment (2 pages)
Re Submission of Part-B Fee(s) Transmittal (1 page)
Exhibit A – contains Issue Fee package previously filed and submitted to PTO on December 8, 2006 (9 pages)
Exhibit B – USPS Tracking record confirming package received by PTO on December 11, 2006 (2 pages)
Fee Transmittal (1 page)
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